

Message Text

UNCLASSIFIED

PAGE 01 STATE 144702
ORIGIN EB-08

INFO OCT-01 ARA-14 EUR-12 EA-12 NEA-11 IO-14 ISO-00
AGRE-00 CIAE-00 COME-00 INR-10 LAB-04 NSAE-00
SP-02 STR-07 TRSE-00 FRB-01 OMB-01 L-03 NSC-05
ITC-01 /106 R

DRAFTED BY EB/OT/STA:CHBLUM:JH
APPROVED BY EB/OT/STA:JSSPIRO
TREAS:RSELF
ARA/AND/C:DCOX (INFO)
ARA/ECA:SMYLES
ARA/ECA:DVANTREECK
ARA/ECP:BBURSON
EA/PHL:JSARTORIUS (INFO)
EA/K:BPORTER (INFO)
EA/ROC:WLUNDY
EA/EP:AGEBER (INFO)
EB/OT:SAHMAD
EB/TEX:WBREW

-----106755 080808Z /12

R 072304Z JUN 78
FM SECSTATE WASHDC
TO AMEMBASSY BOGOTA
AMEMBASSY BRASILIA
AMEMBASSY BUENOS AIRES
AMEMBASSY MANILA
AMEMBASSY SEOUL
AMEMBASSY MONTEVIDEO
AMEMBASSY NEW DELHI
AMEMBASSY TAIPEI
INFO AMEMBASSY COLOMBO
USMISSION GENEVA
AMEMBASSY PARIS

UNCLAS STATE 144702

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 144702

USOECD

E.O. 11652: N/A

TAGS: ETRD, US, AR, BR, CO, IN, KS, RP, TW, UY

SUBJECT: COUNTERVAILING DUTY INVESTIGATION: NEXT STEPS

IN TEXTILES AND MEN'S AND BOYS' APPAREL CASES

REF: A) STATE 133842, B) MANILA 8042 (NOTAL), C) MONTEVIDEO 161 (NOTAL), D) NEW HELHI 8734 (NOTAL)

1. TOGETHER WITH REF A AND FEDERAL REGISTER NOTICES POUCHED LAST WEEK, THIS CABLE OUTLINES STATUS OF THE COUNTERVAILING DUTY INVESTIGATION ON TEXTILES AND MEN'S AND BOYS' APPAREL AND DESCRIBES THE PROCEDURES TREASURY WILL FOLLOW IN MAKING THE FINAL DETERMINATIONS DUE NOVEMBER 7. THIS INFORMATION MAY BE OF HELP TO POSTS IN ALLAYING HOST COUNTRY FEARS AND AVOIDING MISUNDERSTANDING ABOUT TREASURY'S ACTIONS IN THESE CASES.

2. ACCURATE, COMPLETE AND TIMELY WRITTEN DATA SUBMISSION ARE THE BEST MEANS FOR FOREIGN GOVERNMENTS TO PRESENT THEIR CASE TO TREASURY IN A CVD CASE. AT THE OUTSET OF THIS INVESTIGATION A DETAILED QUESTIONNAIRE WAS SENT TO EACH GOVERNMENT INVOLVED, REQUESTING FULL INFORMATION ON THE GOVERNMENT PROGRAMS ALLEGED TO BESTOW SUBSIDIES AND ON THE EXTENT TO WHICH THESE PROGRAMS ARE UTILIZED BY THE

TEXTILE INDUSTRY. RESPONSES HAVE VARIED CONSIDERABLY IN COMPLETENESS AND TIMELINESS FOR USE IN THE PRELIMINARY DETERMINATION (SEE PARA 4 FOR DETAILS).

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 STATE 144702

3. IN CONTRAST TO U.S. ANTIDUMPING PROCEDURES, IN COUNTERVAILING DUTY INVESTIGATION THERE IS NORMALLY NO IN-COUNTRY VERIFICATION OF SUBMISSION. NEITHER TREASURY NOR CUSTOMS PLANS ANY OVERSEAS TRIPS IN CONNECTION WITH THESE CASES AT THIS STAGE, UNLESS UNUSUAL PROBLEMS DEVELOP. TREASURY HAS BEEN DEALING DIRECTLY WITH WASHINGTON EMBASSIES OF COUNTRIES INVOLVED AND IN MOST CASES WITH U.S. ATTORNEYS REPRESENTING FOREIGN GOVERNMENTS AND/OR PRODUCERS. WHILE TREASURY AND STATE OFFICIALS WOULD, OF COURSE, BE PLEASED TO DISCUSS CASES WITH HOST COUNTRY OFFICIALS WHO MIGHT BE TRAVELING TO WASHINGTON, CONSULTATIONS HERE ARE NORMALLY UNNECESSARY AND IN ANY EVENT CANNOT SUBSTITUTE FOR AN ADEQUATE DATA SUBMISSION. ACTION REQUESTED: POSTS MAY WISH TO EMPHASIZE TO HOST COUNTRY OFFICIALS THAT THE MOST IMPORTANT ELEMENT IN TREASURY'S FINAL DETERMINATION IS A COMPLETE AND EFFECTIVELY PRESENTED (I.E., TIMELY AND IN ENGLISH) WRITTEN SUBMISSION COVERING ALL GOVERNMENT PROGRAMS INVOLVED IN THE PETITION AS WELL AS THEIR UTILIZATION BY THE HOST COUNTRY INDUSTRY. MONTEVIDEO AND BUENOS AIRES MAY WISH TO INQUIRE IF CONSIDERATION HAS BEEN GIVEN TO RETAINING U.S. LEGAL COUNSEL. WE UNDERSTAND

THAT FOREIGN GOVERNMENTS HAVE GENERALLY FOUND U.S. ATTORNEYS TO BE VERY HELPFUL IN EFFECTIVELY COMMUNICATING THEIR DATA TO TREASURY IN CVD CASES.

4. FOLLOWING COMMENTS ON EXTENSIVENESS AND TIMELINESS OF DATA THUS FAR SUBMITTED MAY BE OF INTEREST TO POSTS. (ADDITIONAL INDICATIONS OF WHERE TREASURY REQUIRES MORE COMPLETE DATA MAY BE FOUND IN FEDERAL REGISTER NOTICES ON THE PRELIMINARY DETERMINATIONS.) BY FAR THE MOST COMPLETE SUBMISSION WAS THAT OF REPUBLIC OF KOREA, WHICH DOCUMENTED THAT ITS PROGRAMS PROVIDE ONLY DE MINIMIS BENEFITS (0.25 PERCENT IN THE AGGREGATE). ARGENTINA SUBMITTED ENOUGH INFORMATION TO SHOW THAT MANY OF ITS PROGRAMS, INCLUDING THE REEMBOLSO, DO NOT APPEAR TO BE UNCLASSIFIED

UNCLASSIFIED

PAGE 04 STATE 144702

BOUNTIES OR GRANTS UNDER U.S. LAW. INDIA PROVIDED VOLUMINOUS BACKGROUND INFORMATION ON ITS PROGRAMS BUT LESS ON ACTUAL UTILIZATION OF THEM BY INDIAN COMPANIES. IN ADDITION, TREASURY WILL MEET JUNE 7 WITH INDIAN EMBASSY OFFICERS AND LOCAL COUNSEL TO DISCUSS SPECIFIC ADDITIONAL DATA REQUIRED. THE PHILIPPINES PROVIDED A LIMITED SUBMISSION, INCLUDING ADEQUATE INFORMATION ON ONE STATUTE. WE UNDERSTAND THE GOP IS WORKING ON AN ADDITIONAL SUBMISSION AT THIS TIME. BRAZIL AND COLOMBIA

HAVE PROVIDED LITTLE SUBSTANTIVE INFORMATION ON THEIR PROGRAMS. THE URUGUAYAN SUBMISSION WAS RECEIVED TOO LATE TO BE CONSIDERED IN MAKING THE PRELIMINARY DETERMINATION. (IT WAS ALSO PRESENTED WITHOUT AN ENGLISH TRANSLATION, WHICH FURTHER DELAYED ITS CONSIDERATION.) THE REPUBLIC OF CHINA PROVIDED A SUBMISSION ON MARCH 25 THAT UNFORTUNATELY DID NOT REACH TREASURY IN TIME FOR CONSIDERATION BEFORE PRELIMINARY DETERMINATION. IT WILL BE GIVEN CAREFUL ANALYSIS IN COMING WEEKS. VANCE

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TEXTILES, COUNTERVAILING DUTIES
Control Number: n/a
Copy: SINGLE
Draft Date: 07 jun 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE144702
Document Source: CORE
Document Unique ID: 00
Drafter: CHBLUM:JH
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780239-0434
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780684/aaaacuoo.tel
Line Count: 155
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 05d0cc8f-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 78 STATE 133842, 78 MANILA 8042, 78 MONTEVIDEO 1978
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2448092
Secure: OPEN
Status: NATIVE
Subject: COUNTERVAILING DUTY INVESTIGATION: NEXT STEPS IN TEXTILES AND MEN'S AND BOYS' APPAREL CASES
TAGS: ETRD, US, AR, BR, CO, IN, KS, RP, TW, UY
To: BOGOTA BRASILIA MULTIPLE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/05d0cc8f-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014